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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,821	07/28/2003	David Scott Leone	60072US	5889
23430	7590	09/14/2006	EXAMINER	
GEORGE A LEONE, SR PATENT ATTORNEY 1117 BROADWAY SUITE 401 TACOMA, WA 98402			ROSE, HELENE ROBERTA	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 09/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/628,821	LEONE ET AL.
	Examiner	Art Unit
	Helene R. Rose	2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 July 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2 and 6-20 is/are pending in the application.
 - 4a) Of the above claim(s) 3-5,22 and 23 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-2 and 6-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 July 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

Detailed Action

1. Claims 1, 6, 8, 14, 15, and 19 have been amended; Claims 3-5 and 22-23 have been cancelled and no claims were added.
2. Applicant's arguments, filed on 7/06/2006, with respect to claims 1-23 have been considered, but are not persuasive.

Claim Objections

3. In view of the objection made to claims 4-5, being objected to because of the following informalities reciting the term "time line vs. "timeline". Examiner withdraws the pending objection due to the cancellation of the claims.

Claim Rejections - 35 USC § 112

4. In view of the rejection made under 35 USC 112 in reference to Claim 3, 15, and claim 19, reciting one of the following limitations "or" and "and/or". Examiner withdraws the pending rejections as it relates to Claims 3, 15 and 19, wherein claims 3 is withdrawn from consideration and claims 15 and 19, have been amended overcome rejection.

Claim Rejections - 35 U.S.C - 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, and 6-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Dougherty et al (US Patent No. 6,256,638, Date of Patent: July 3, 2001).

Claim1:

Regarding claim 1, Dougherty teaches a computer software method for multiple track time line display with document links (column 11, lines 23-28 and column 12, lines 14-17, wherein the term “multi-track mode” is defined as two or more tracks from which to read out charge, and as it is defined in processing terms, each track is treated as a single track, Dougherty), comprising the steps of:

accessing the digital information, where the digital information includes at least one information track (column 4, lines 40-50, wherein information encoded on the Linkmark may include a uniform resource locator (URL), and wherein it may include a particular document available upon a computer system, Dougherty);

displaying the digital information by juxtaposing at least two views of the at least one information track on a display (column 8, lines 1-11, Dougherty);

independently scrolling at least one view of the at least two views to juxtapose differing views for comparison, wherein the at least one information track comprises images including medical strips that contain patient information on a time line (Figure 12, diagrams 628,630,632, and 634, wherein placing the objects side-by-side for comparison AND column 11, 53-63, wherein icon represents entertainment related subject matter, and icons represent the timeliness or update frequency of information available at the corresponding webpage, Dougherty). However, Dougherty does not disclose the terms/phrase “medical strips” that contain “patient information”. On the other hand, Dougherty does disclose the functionality

wherein related subject matter contains information corresponding to its related subject and wherein the different icons indicates computer related subject matter corresponding with its related subject which is equivalent to medical strips that contain patient information and timeliness is defined to be the time between the occurrence of an event and the availability of data about the event. Timeliness is related to the use of the data. Examiner also notes that the application under review, the claim language presently defined is interpreted to be intended use, and can be read/interpreted as data or any type of data means in which Dougherty invention can be applied);

providing at least one hotspot on the at least one information track to allow navigation by activating the at least one hotspot, where the at least one hotspot links to digital information related to the at least one information track (column 2, lines 58-67, wherein the machine readable operating instruction could be a navigation command or other suitable instruction for controlling the invoked web site and column 4, lines 33-38, wherein encoded physical medium may also include a document identification hotspot, similar to the region and the content encoded within the document ID hotspot will, however, be special in that it provides an indication of the identity of the particular encoded physical medium, Dougherty).

Claim 2:

Regarding claim 2, Dougherty teaches the method further comprising the step of displaying the related digital information when a hotspot to the related information is activated (column 9, lines 14-43, wherein computer user selects a desired hotspot such as a region, and wherein the web page would be display upon a display screen for the computer user, and wherein the encoded information indicates that an application should be invoked or a document

opened. If yes, the computer system will invoke the application or open the document, Dougherty).

Claim 6:

Regarding claim 6, Dougherty teaches wherein the at least one information track comprises hotspots to documents that relate to activity recorded on the at least one information track temporally related to a time marked by the hotspot (column 11, lines 12-23, wherein the size icon has the appearance of a shooting star thereby indicating that content on a webpage tends to be dynamic and temporary, Dougherty).

Claim 7:

Regarding claim 7. Dougherty teaches wherein the at least one information track comprises hotspots to documents that have information about activity recorded on the at least one information track near a time marked by the hotspot (column 5, lines 16-20, wherein a marker is utilized encoding a scheme implements the marker is present in measured information, and when the marker is sensed to decode the measured information and column 6, lines 51-67, wherein the information measured has been marked and the sensor performs an operation that is a function of the information interpreted, wherein the timing of the user's engagement of the sensor information is received, Dougherty).

Claim 8:

Regarding claim 8, Dougherty teaches wherein the at least one information track further comprises a graphical user interface to digital information (column 10, lines 24-32, wherein

graphical illustrations indicate at least one characteristic of the computer process to which machine readable encoded linking information directs the computer system and column 12, lines 14-17, wherein the single color glyphs is arranged such that the digital information represented provides a meaningful two-dimensional barcode, Dougherty).

Claim 9:

Regarding claim 9, Dougherty teaches wherein the graphical user interface to digital information further comprises a library track including a library track graphical representation of a library that allows users to activate hotspots to digital information (column 7, lines 7-15, wherein the catalog magazine with a held hand sensor with regions of the catalog, representing desired products, these regions are sensed and information interpreted by the wand sensor and column 6, lines 16-24, wherein the sensor involves user settings to activate on/off operations, Dougherty).

Claim 10:

Regarding claim 10, Dougherty teaches wherein the graphical user interface to digital information further comprises a document track including a document track graphical interface to digital information along a timeline (column 3, lines 4-9, wherein multicon linkmark may have graphical illustrations, webpage, media format of content, and wherein duration of content is known to be a detailed schedule of astronaut or mission activities indicating the activity and time at which it occurs within the mission, Dougherty).

Claim 11:

Regarding claim 11, Dougherty teaches wherein the document track further comprises images and hotspots to digital information allowing scrolling along the document track to access digital information (column 7, lines 60-65, wherein the Linkmark could invoke an application executing on the computer system and the instruction marks correspond to particular function which includes scrolling, Dougherty).

Claim 12:

Regarding claim 12, Dougherty teaches the step of displaying an explorer display window over existing screen content (column 9, lines 21-35, wherein a webpage or website is displayed to user when the communications link is established and the computer system awaits another command from the computer user to continue performing any ongoing operations, Dougherty).

Claims 13 and 21:

Regarding claims 13 and 21, Dougherty teaches wherein the explorer display window further comprises a combination of tabs and scroll bars to access and display digital information, tracks, hotspots and/or overlays (column 8, lines 2-10, wherein the possible variety of interface tools are defined Dougherty).

Claim 14:

Regarding claim 14, Dougherty teaches the step of activating a multi-track mode for

simultaneously viewing and interacting with a plurality of information tracks **having images including medical strips that contain patient information on a time line** (column 2, lines 48-52, wherein a plurality of computer implemented processes can be controlled by a user, column 9, lines 32-36, wherein the computer system awaits a command from the user OR, continues performing ongoing operations and column 3, lines 65-67, wherein Figure 12, illustrates a variety of icons each providing graphical illustrations corresponding to website, and stated within claim 1 as well, wherein timeliness is defined to be the time between the occurrence of an event and the availability of data about the event, wherein timeliness is related to the use of the data which is equivalent to time line. Examiner also notes that the application under review, the claim language presently defined is interpreted to be intended use, and can be read/interpreted as data or any type of data means in which Dougherty invention can be applied, Dougherty).

Claim 15:

Regarding claim 15, Dougherty teaches the step of synchronizing the movement of a plurality of information tracks when using the multi-track mode (column 11, lines 23-28 and column 12, lines 14-17, wherein the term “multi-track mode” is to be defined to differ from single-track in that you may now define to or more tracks from which to read out charge, and as it is defined in processing terms, each track is treated as a single track, Dougherty).

Claim 16:

Regarding claim 16, Dougherty teaches the step of varying scrolling speed of the at least one information track (column 11, lines 12-28, wherein the communication speed is defined, and

wherein a website is defined opposed to just a webpage in which a website displays an entire collection of websites along with other information and scrolling be defined as upwards, downwards, or sideways movement of information on a computer screen as defined in column 8, lines 5-11, Dougherty).

Claim 17:

Regarding claim 17, Dougherty teaches the step of keyword searching to access predefined portions of the at least one information track (column 6, lines 7-17, Dougherty).

Claim 18:

Regarding claim 18, Dougherty teaches the step of toggling the presence of hotspots on and off (column 6, lines 17-24, wherein hotspots is defined as particular region and wherein hotspots are invisible in users/browser, see column 4, lines 24-31, Dougherty).

Claim 19:

Regarding claims 19. Dougherty teaches the steps of opening an display window for grouping hotspots to like information, and for view in digital information (see Figure 10, all features, wherein grouping is defined in multi-icon linkmarks including human readable information as disclosed throughout column 10-11, lines 33-67, and lines 1-10, wherein grouping a subject matter with related subject information and column 8, lines 5-11, wherein options is known to be a menu that displays a list of operations to a user or program, Dougherty).

Claim 20:

Regarding claim 20, Dougherty teaches wherein the explorer display window includes

tabs for combining functions (column 8, lines 1-11, wherein tabs are utilized to carry-out commands/functions and column 10, lines 21-23 and column 12, lines 10-20, wherein glyphs are combined together to form two dimensional barcodes and wherein barcodes consist of a group of printed and variously patterned bars and spaces and sometimes numerals that is designed to be scanned and read into computer memory as identification for the object it labels, Dougherty).

Prior art of Record

(The prior art made of record and not relied upon is considered pertinent to applicant's disclosure)

1. Dougherty et al (US Patent No. 6,256,638) discloses improving the human/computer interface by providing printable interfaces that enable a user to invoke and control computer processes, and wherein an encoded physical medium suitable for use in interfacing a computer user and a computer system such that the user can control and/or access a plurality of computer implemented processes such computer applications and web pages, and the encoded physical medium has a Linkmark and an instruction mark.

Response to Arguments

1. Applicant argues prior fail to teach, "*comparative displays of medical strips*". Examiner respectfully disagrees. Referring to Figure 12, diagrams 628, 630, 632, and 634, wherein placing objects side-by-side for comparison wherein it relates/illustrates to images. Examiner also notes that the application under review, the claim language presently defined is interpreted to be intended use, and can be read/interpreted as data or any type of data means in which Dougherty invention can be applied.

2. Applicant argues prior fail to teach, “*independently scrolling at least one view of the at least two views of juxtapose differing views for comparison, wherein the at least one information track has images including medical strips that contain patient information on a time line*”.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *of the at least two views of juxtapose differing views for comparison, wherein the at least one information track has images including medical strips that contain patient information on a time line*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

3. Applicant argues prior fail to teach, “*time lines or linking data to time lines; nor does he disclose the words/terms: compare, medical strips, medical, information track, patient, time, time line*”.

Examiner respectfully disagrees. Referring to column 11, 53-63, wherein icon represents entertainment related subject matter, and icons represent the timeliness or update frequency of information available at the corresponding webpage, wherein timeliness is equivalent to time line, wherein timeliness is defined to be the time between the occurrence of an event and the availability of data about the event. Timeliness is related to the use of the data. Examiner also notes that the application under review, the claim language presently defined is interpreted to be

intended use, and can be read/interpreted as data or any type of data means in which Dougherty invention can be applied.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene R. Rose whose telephone number is (571) 272-0749. The examiner can normally be reached on 8:00am - 4:30 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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